

## **REMARKS**

Claims 21-41, 62, 86, 88, 89, 99-101 and 111-247 appear in this application for the Examiner's review and consideration.

In order to expedite the prosecution of the present application and obtain at least a portion of the subject matter to which Applicants believe they are entitled and without conceding to the validity of the rejections in the Office Action mailed November 20, 2006, Applicants have amended claims 112, 136, 176 and 200 and canceled claims 1-20, 42-61, 63-85, 87, 90-96 and 102-108 without prejudice<sup>1</sup> to Applicants' rights to pursue the subject matter of the canceled claims and/or present amendments in one or more related applications. New claims 208-247 have been added.

Support for the amendments to claims 112 and 136 can be found in, e.g., claim 1 as-filed. Support for the amendments to claims 176 and 200 can be found in, e.g., claim 42 as-filed.

In connection with the new claims, support for new claims 208 and 210 can be found in, e.g., claim 61 as-filed. Support for new claims 209 and 211 can be found in, e.g., claim 85 as-filed. Support for new claims 212 and 214 can be found in, e.g., claim 63 as-filed. Support for new claims 213 and 215 can be found in, e.g., claim 87 as-filed. Support for new claims 216 and 218-223 can be found in, e.g., Table VI at paragraph [0405] of the published patent application.<sup>2</sup> Support for new claims 224 and 226-231 can be found in, e.g., Table XIII at paragraph [0412] of the published patent application. Support for new claims 217 and 225 can be found in, e.g., paragraph [0142] of the published patent application. Support for new claims 232 and 234-239 can be found in, e.g., Table VII at paragraph [0406] of the published patent application. Support for new claims 240 and 242-247 can be found in, e.g., Table XIV at paragraph [0413] of the published patent application. Support for new claims 233 and 241 can be found in, e.g., paragraph [0169] of the published patent application. The claim amendments and new claims are believed to introduce no new matter.

Applicants note with appreciation that the Office Action Summary and page 8, item 7 of the Office Action indicate that claims 21-41, 62, 86, 88, 89, 99-101, 111 and 144-199 are

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<sup>1</sup> Claims 97, 98, 109 and 110 were previously canceled without prejudice in an Amendment dated February 16, 2006.

<sup>2</sup> United States Patent Application Publication Pub. No. US 2004/0235853 A1.

allowed. Applicants further note that the Office Action Summary and page 7, item 6 of the Office Action indicate that, *inter alia*, claims 112-143 and 200-207 are not rejected but objected to. In this regard, Applicants note that claims 112, 136, 176 and 200 are now, by amendment, independent claims.

Favorable reconsideration of the claims in view of the amendments and remarks herein is respectfully requested.

**A. REJECTION OF CLAIMS 1, 18, 19 AND 61 UNDER 35 U.S.C. §103(a)**

On page 3, item 4 of the Office Action, claims 1, 18, 19 and 61 have been rejected under 35 U.S.C. §103(a) as allegedly obvious over the publication of Toldy et al., "Piperazinderivate, III Diäthylcarbamy- und Xanthenderivate," *Acta Chimical Academiae Scientarum Hungaricae, Tomus 70(1-2):101-122* (1971) ("Toldy 3"). Toldy 3 was made of record by Applicants as reference "C41" in the Third Supplemental Information Disclosure Statement mailed October 26, 2006. An English language translation of Toldy 3, marked "PTP 06-3959" in the upper left corner, ("Toldy 3E") was provided by Examiner Habte, was made of record as reference "U" in the Notice of References Cited (PTO-892) accompanying the present Office Action, and was made of record by Applicants as reference "C42" in the Third Supplemental Information Disclosure Statement mailed October 26, 2006. In light of the present amendments and without conceding to the validity of this rejection, Applicants believe that this rejection is moot and request that it be withdrawn.

**B. REJECTION OF CLAIMS 42, 43, 45, 59 AND 63 UNDER 35 U.S.C. §103(a)**

On page 6, item 5 of the Office Action, claims 42, 43, 45, 59 and 63 have been rejected under 35 U.S.C. §103(a) as allegedly obvious over the publication of Toldy et al., "Thiocarbamidderivate mit tuberkulostatischer wirkung, II Acylthiocarbamide," *Acta Chimical Academiae Scientarum Hungaricae, Tomus 69(2):221-227* (1971) ("Toldy 2"). An English language translation of Toldy 2, marked "PTP 06-4332" in the upper left corner, ("Toldy 2E") was provided by Examiner Habte and was made of record as reference "U" in the Notice of References Cited (PTO-892) accompanying the Office Action mailed April 27, 2006. In light of the present amendments and without conceding to the validity of this rejection, Applicants believe that this rejection is moot and request that it be withdrawn.

### CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully submit that all of the rejections have been overcome and should be withdrawn. Thus, reconsideration and early allowance of all of the claims is respectfully requested.

Applicants believe that no fee is due in connection with this amendment (other than for the Petition for Extension of Time and Fee Transmittal Sheet submitted separately herewith). However, should the Patent Office determine that a fee is due, please charge the required amount to Jones Day Deposit Account 50-3013.

Respectfully submitted,

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